



C. Schabel

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Jonathan E. Rinde, Esquire  
Manko, Gold, Katcher & Fox, LLP  
401 City Avenue  
Suite 500  
Bala Cynwyd, PA 19004

Re: Approval of Sampling Plan required by Information Request pursuant to Section 308 of the  
Clean Water Act - Hovnanian Enterprises, Inc.

Dear Mr Rinde:

Thank you for the submittal of a sampling plan (the Sampling Plan) in accordance with the Section 308 information request letter that the U.S. Environmental Protection Agency (EPA) sent to Hovnanian Enterprises, Inc., on February 28, 2005. The EPA approves the Sampling Plan that Hovnanian submitted, with all attachments, under the condition that the following modifications are incorporated into the Sampling Plan:

Under 3.0 "Monitoring Equipment Installation", change the sampling location for the Woods at North Hampton construction site to Sedimentation Basin D; and

Under 5.2.2 "Sample Handling and Custody Requirements", add the following text:

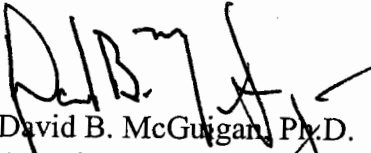
"Other than rinsing with distilled water, only sample from the discharge will be placed in the sample bottles. All contents of the sample (e.g., sediment) will be removed from the sample bottles and will be analyzed. Distilled water will be used to remove all contents of sample from the sample bottles. All additional volumes of water placed in the sample bottles will be taken into consideration when calculating concentrations. "

Hovnanian is required to submit all analytical results and information required by the Sampling Plan within 60 days of receipt of this letter. In addition, Hovnanian must notify EPA 72 hours in advance of when it anticipates sampling will be conducted.



If you have any questions, please call Chuck Schadel at (215) 814-5761.

Sincerely,

A handwritten signature in black ink, appearing to read "D.B. McGuigan", with a stylized flourish extending from the end.

David B. McGuigan, Ph.D.  
Associate Director  
Office of Compliance & Enforcement, WPD

cc: Frank DiFrancesca, PADEP SE Region  
Jesse Howe, Montgomery County  
Conservation District  
Eric Wightman, Bucks County  
Conservation District  
Gaylynn Criswell, Chester County  
Conservation District

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Manko, Gold, Katcher & Fox, LLP  
401 City Avenue, Suite 500  
Bala Cynwyd, PA 19004

PS Form 3800, June 2002  
See Reverse for Instructions

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(as of 1/1/01) 2002 June '0083

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

AUG 23 2005

Jonathan E. Rinde  
Manko, Gold, Katcher & Fox, LLP  
401 City Avenue St. 500  
Bala Cynwyd, PA 19004

Re: Request for Information pursuant to Section 308 of the Clean Water Act - Hovnanian Enterprises, Inc.

Dear Mr Rinde:

In a letter dated August 8, 2005, you requested, on behalf of Hovnanian Enterprises, Inc., a 30-day extension to submit the sampling results that the U.S. Environmental Protection Agency (EPA) requested in a letter dated February 23, 2005, pursuant to Section 308 of the Clean Water Act. The Section 308 letter required sampling at two locations, Byers Station site and the Woods at Northampton site. Hovnanian was to submit the results by August 15, 2005.

Hovnanian has already completed the sampling for Byers Station site, and EPA has received the sampling report within an acceptable time frame. However, due to rainfall conditions, Hovnanian has not been able to complete the sampling at the Woods at Northampton site. As discussed by phone with Chuck Schadel and Nina Rivera of the EPA, EPA agrees to a 30-day extension to the submission of the sampling results from the Woods at Northampton. EPA expects that Hovnanian will submit those results on or before September 15, 2005.

If you have any questions, please call Chuck Schadel at (215) 814-5761.

Sincerely,

A handwritten signature in cursive script, appearing to read "David B. McGuigan", is written over a horizontal line.

David B. McGuigan, Ph.D., Associate Director  
Office of Compliance & Enforcement, WPD

cc: Frank DiFrancesca, SE Region, PADEP  
Jesse Howe, Montgomery County Conservation District  
Eric Wightman, Bucks County Conservation District  
Gaylynn Criswell, Chester County Conservation District



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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

NOV 09 2005

Jonathan E. Rinde  
Manko, Gold, Katcher & Fox, LLP  
401 City Avenue St. 500  
Bala Cynwyd, PA 19004

Re: Request for Information pursuant to Section 308 of the Clean Water Act - Hovnanian Enterprises, Inc.

Dear Mr Rinde:

On February 23, 2005, the U.S. Environmental Protection Agency (EPA) requested, pursuant to Section 308 of the Clean Water Act, that Hovnanian Enterprises, Inc. sample the stormwater discharges at two construction sites in Pennsylvania: the Woods at Northampton and Byers Station. On a letter dated August 23, 2005, EPA extended the time for Hovnanian to submit the required sampling report until September 15, 2005. Hovnanian has completed the sampling and has submitted a report of the sampling results for the discharges from Byers Station. However, EPA has not received all of the sampling results for the discharges from the Woods at Northampton. As discussed by phone with Chuck Schadel and Nina Rivera of the EPA, EPA agrees to a 90-day extension to the submission of the complete sampling results from the Woods at Northampton, as required by the Section 308 request. EPA expects that Hovnanian will submit those results on or before December 15, 2005.

If you have any questions, please call Chuck Schadel at (215) 814-5761.

Sincerely,

A handwritten signature in cursive script, appearing to read "David B. McGuigan", is written above the typed name.

for David B. McGuigan, Ph.D., Associate Director  
Office of Compliance & Enforcement, WPD

cc: Frank DiFrancesca, SE Region, PADEP  
Eric Wightman, Bucks County Conservation District



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
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NOV 09 2005

Jonathan E. Rinde  
Manko, Gold, Katcher & Fox, LLP  
401 City Avenue St. 500  
Bala Cynwyd, PA 19004

Re: Request for Information pursuant to Section 308 of the Clean Water Act - Hovnanian Enterprises, Inc.

Dear Mr Rinde:

On February 23, 2005, the U.S. Environmental Protection Agency (EPA) requested, pursuant to Section 308 of the Clean Water Act, that Hovnanian sample the stormwater discharges at two construction sites in Pennsylvania, the Woods at Northampton and Byers Station. On a letter dated August 23, 2005, EPA extended the time for Hovnanian to submit the required sampling report until September 15, 2005. Hovnanian has completed the sampling and has submitted a report of the sampling results for the discharges from Byers Station. However, not of all the sampling for the discharges from the Woods at Northampton has been completed. As discussed by phone with Chuck Schadel and Nina Rivera of the EPA, EPA agrees to a 90-day extension to the submission of the complete sampling results from the Woods at Northampton, as required by the Section 308 request. EPA expects that Hovnanian will submit those results on or before December 15, 2005.

CONCURRENCES							
SYMBOL	C. Schadel	N. Rivera	C. Harsch	A. McFadden	D. McGuigan		
SURNAME	3WP31	3RC20	3WP31	3WP31	3WP30		
DATE	4/9/05	4/9/05	4/9/05	4/9/05	4/9/05		

Have Sampling Extension

ROUTING AND TRANSMITTAL SLIP

Date

10/24/05

TO: (Name, office symbol, room number, building, Agency/ Post)

Initials

Date

1. C Schabel

CS

10/24/05

2. N. Rivera

NVR

10/26/05

3. C. Harsh

CH

11/7

CH

11/9

Sue,

Please make 6  
copies and mail  
the original.

Thanks  
Chade

Schabel

Thanks

	Note and Return
	Per Conversation
	Prepare Reply
	See Me
	Signature

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/ Post)

Room No. — Bldg.

Phone No.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

**SUBJECT:** Item for Signature by Associate Division Director  
Hovnanian Homes Extension for 308 Letter Sampling  
Requirements

**FROM:** Chuck Schadel, Compliance Officer  
NPDES Compliance and Enforcement Branch (3WP31)

*Chuck* 10/24/05

**THRU:** Angela K. McFadden, Acting Branch Chief  
NPDES Compliance & Enforcement Branch

**TO:** David McGuigan, Associate Director  
Office of Compliance and Enforcement (3WP30)

**1. This Document is:**

*Approval of an extension for the sampling required by the Information Request to Hovnanian pursuant to Section 308 of the CWA.*

**2. Its purpose is to:**

*Provide approval to Hovnanian for submitting the sampling results for one of the two sites. The sampling results for one of the sites has already been received by EPA.*

**3. It will accomplish the following:**

*see #2*

**4. Other options available (if any) and why they were not used:**

*None*

**5. Coordination with Local, State, HQ, or other Region III Divisions:**

*None needed at this time.*

**6. Possible repercussions:**

*None anticipated*

**7. Are any public relations activities needed (press release):**

*None at this time.*

**8. Name of preparer of the document and this memo:** *Chuck Schadel (x5761)*



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

*Comments*

Jonathan E. Rinde  
Manko, Gold, Katcher & Fox, LLP  
401 City Avenue St. 500  
Bala Cynwyd, PA 19004

Re: Request for Information pursuant to Section 308 of the Clean Water Act - Hovnanian Enterprises, Inc.

Dear Mr Rinde:

*note from 1*

all of  
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If you have any questions, please call Chuck Schadel at (215) 814-5761.

Sincerely,

David B. McGuigan, Ph.D., Associate Director  
Office of Compliance & Enforcement, WPD

cc: Frank DiFrancesca, SE Region, PADEP  
Eric Wightman, Bucks County Conservation District



# MANKO | GOLD | KATCHER | FOX LLP

AN ENVIRONMENTAL LAW PRACTICE

September 15, 2005

JOSEPH M. MANKO  
MARC E. GOLD  
BRUCE S. KATCHER\*\*  
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MICHAEL M. MELOY  
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BRIDGET L. DORFMAN\*

TECHNICAL CONSULTANTS  
DARRYL D. BORRELLI  
CARA L. FOX

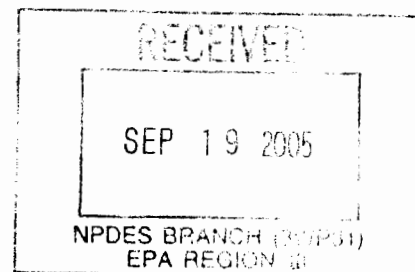
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PHILADELPHIA, PA

\*ADMITTED IN NJ AND PA  
\*\*PARTNER RESPONSIBLE FOR NJ  
OTHER ATTORNEYS ADMITTED IN PA ONLY

## Via Certified Mail

Mr. Charles Schadel (32P31)  
U.S. Environmental Protection Agency  
Water Protection Division  
Office of Compliance and Enforcement  
NPDES Branch  
1650 Arch Street  
Philadelphia, PA 19103



Re: Request for Information Pursuant to Section 308 of the  
Clean Water Act Issued to Hovnanian Enterprises, Inc.

Dear Mr. Schadel:

In conformance with Paragraph 9 of the Request for Information Pursuant to Section 308 of the Clean Water Act Issued to Hovnanian Enterprises, Inc. (the "Section 308 Request") sent by the U.S. Environmental Protection Agency ("EPA") to Hovnanian Enterprises, Inc., as modified and approved by EPA pursuant to my several discussions with you and Nina Rivera, Esquire, enclosed please find the "Storm-Water Discharge Sampling Report" for a portion of the Woods at Northampton Residential Development located in Northampton Township, Bucks County, PA.

Although we appreciate the extension of time to sample stormwater discharges and submit this report, you will note from your review of the enclosed report that only two storm water discharge events have been sampled at this site. I have contacted Ms. Rivera of your office to request EPA's approval to remove the sampling device from the field, which remains in place but turned off while we await further directions. I ask that you contact me at your earliest convenience to discuss this request.

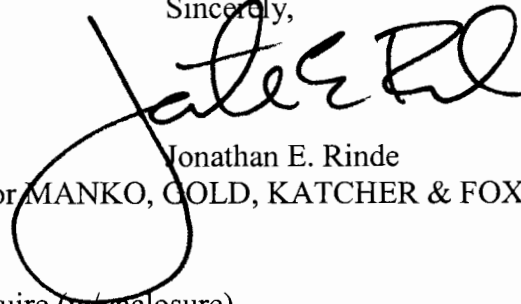


Mr. Chuck Schadel (32P31)  
September 15, 2005  
Page 2

Please note that this report is submitted to EPA pursuant to the General Qualifications and Objections found as an attachment to my May 2, 2005 submission to EPA. Also, please note that the report is submitted pursuant to a "Confidential Business Information" claim.

I have also sent a copy of this letter and the report to Ms. Rivera as required.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan E. Rinde", is written over the typed name and firm name. The signature is stylized with a large loop at the end.

Jonathan E. Rinde  
For MANKO, GOLD, KATCHER & FOX, LLP

JER/pc

Enclosure

cc: Nina Rivera, Esquire (w/enclosure)

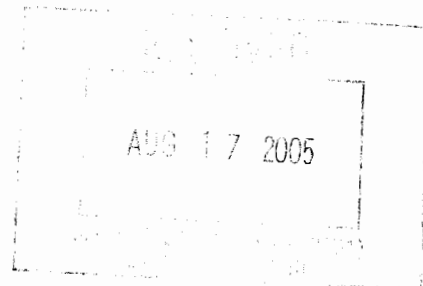
# MANKO | GOLD | KATCHER | FOX LLP

AN ENVIRONMENTAL LAW PRACTICE

August 15, 2005

## Via Certified Mail

Mr. Charles Schadel (32P31)  
U.S. Environmental Protection Agency  
Water Protection Division  
Office of Compliance and Enforcement  
NPDES Branch  
1650 Arch Street  
Philadelphia, PA 19103



Re: Request for Information Pursuant to Section 308 of the  
Clean Water Act Issued to Hovnanian Enterprises, Inc.

Dear Mr. Schadel:

In conformance with Paragraph 9 of the Request for Information Pursuant to Section 308 of the Clean Water Act Issued to Hovnanian Enterprises, Inc. (the "Section 308 Request") sent by the U.S. Environmental Protection Agency ("EPA") to Hovnanian Enterprises, Inc., as modified and approved by EPA pursuant to my several discussions with you and Nina Rivera, Esquire, enclosed please find the "Storm-Water Discharge Sampling Report" for a portion of the Byers Station Residential Development located in Upper Uwchlan Township, Chester County, PA.

Please note that this report is submitted to EPA pursuant to the General Qualifications and Objections found as an attachment to my May 2, 2005 submission to EPA. Also, please note that the report is submitted pursuant to a "Confidential Business Information" claim.

I have also sent a copy of this letter and the report to Ms. Rivera as required.

Sincerely,

Jonathan E. Rinde

For MANKO, GOLD, KATCHER & FOX, LLP

JER/pc  
Enclosure

cc: Nina Rivera, Esquire (w/enclosure)

JOSEPH M. MANKO  
MARC E. GOLD  
BRUCE S. KATCHER\*\*  
NEIL S. WITKES\*  
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\*PARTNER RESPONSIBLE FOR NJ

OTHER ATTORNEYS ADMITTED IN PA ONLY





1170 Wheeler Way, Suite 200  
Langhorne, PA 19047

Phone: 215.478.9400  
Fax: 267.572.1857

## Transmittal

**Date:** June 13, 2005

---

**To:** Charles A. Schadel  
Environmental Engineer/Inspector  
Environmental Protection Agency  
Region III  
NPDES Branch  
Office of Compliance and Enforcement  
1650 Arch Street  
Philadelphia, PA 19103-2029

**From:** Michael Stadulis  
Land Development Manager  
Delaware Valley Division

---

**Re:** Byers Station

---

**• Comments:**

See attached - FYI

# ALLAN A. MYERS

American Infrastructure

1805 Berks Road • P.O. Box 98 • Worcester, PA 19490  
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"BETTER, FASTER, SAFE"  
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June 9, 2005

To: Chas. Schadel, EPA  
FR. M. Stadelis

Chuck -

As discussed.

- Mike Stadelis

June 9, 2005

Orleans Home Builders  
3333 Street Road  
One Greenwood Square - Suite 101  
Bensalem, Pa 19020

Attn: Kevin Moran  
Re: Byers Station  
EPA E&S Issue in Parcel # 3

Via Facsimile: 215-633-2352  
AAM Job Number: 019604  
AAM Letter: 00019

Dear Mr. Moran:

As requested by your field Superintendent Eric Hanna, this letter is to serve as an explanation of how storm runoff gets into the proper basins under question in Parcel # 3. Runoff from Ruby Rd. is following Ruby Rd. to basin 3A. The runoff from Lots 107-114 flows toward inlets # 324, 325, 326, 327 and 323 to sediment basin # 3B.

Any questions please contact me or Fran Percell.

Sincerely,

  
Chris Sandberg  
Project Manager

cc: Ann Byer, Del Shelton, Eric Hanna  
Encl.

RECEIVED

APR 17 2005

DES BRANCH (3WP31)  
EPA REGION III